

**Village of Indian Head Park  
201 Acacia Drive  
Indian Head Park, IL 60525**

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**MEETING MINUTES  
BOARD OF TRUSTEES**

*“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken.”*

**Thursday, November 12, 2009**

**7:30 P.M.**

**★ CALL TO ORDER - MAYOR RICHARD ANDREWS**

The regular scheduled meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, November 12, 2009 at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Mayor Richard Andrews. Village Clerk Joe Consolo called the roll as follows:

**★ ROLL CALL: JOE CONSOLO, VILLAGE CLERK**

**PRESENT (AND CONSTITUTING A QUORUM):**

Mayor Richard Andrews  
Trustee Debbie Anselmo  
Trustee Brian T. Bailey  
Trustee Anne Bermier  
Trustee Norman L. Schnauffer  
Trustee Matthew P. Walsh II

**ALSO PRESENT:**

Frank Alonzo, Chief of Police/Administration  
Steve Busa, Treasurer  
Joseph V. Consolo, Village Clerk  
Richard Ramello, Counsel, Storino, Ramello & Durkin  
Edward Santen, Water/Public Works Superintendent

**NOT PRESENT:**

Trustee Carol Coleman

**★ PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Richard Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: *“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”*.

★ **OATH OF OFFICE**

***Appointment of Police Officer James Clendening to the Rank of Sergeant for the Village of Indian Head Park***

Mayor Andrews stated that Police Officer James Clendening has been an officer for twenty-six (26) years. He noted that he came across a reference mentioning that a peace officer has to be able to run five miles through alleys in the dark, scale walls, enter homes that sometimes a health inspector may not want to enter while not getting a wrinkle in his uniform, to sit in an undercover car all day on a stakeout, cover a homicide scene that night, canvass the neighborhood for witnesses and testify in court the next day, he has to be in top physical condition and in order to do that he has to maintain a steady diet of black coffee and half eaten meals.

Village Clerk Joe Consolo administered the oath of office to James Clendening who was appointed to the rank of sergeant for the Village of Indian Head Park Police Department. Mayor Andrews, the Village Board and Police Chief Frank Alonzo congratulated Jim Clendening on his appointment to sergeant.

★ **MAYOR'S REPORT**

Mayor Andrews and the Village Board paused for a moment of silence to honor all veterans of all wars, members of the military who have not returned home, men and women who are now serving in the armed forces as well as those that were killed in the Fort Hood shooting last week.

Mayor Andrews stated that Veteran's Day was first declared in the year 1918 on the 11<sup>th</sup> day of November on the eleventh hour. That day and each November 11<sup>th</sup> thereafter was reserved to honor veterans returning from all wars. In 1938, Congress made Veteran's Day a legal holiday.

Mayor Andrews noted that Tom Brescia was first appointed to serve as Village Prosecuting Attorney last year, he has done an excellent job for the Village and the reappointment of Tom Brescia will be voted upon on the consent agenda.

Mayor Andrews thanked everyone that helped to make the Village sponsored Halloween party a huge success. He noted that it seemed to be a larger turnout this year compared to prior years and everyone that attended had a great time.

Mayor Andrews stated that Thanksgiving will be here in two weeks, there is a lot to be thankful for with families, friends and neighbors and he wished everyone a happy Thanksgiving. Mayor Andrews also mentioned that the annual Heritage Center book sale will be held this Saturday, November 14<sup>th</sup> from 9:00 a.m. to 3:00 p.m.

Frank Alonzo reported that a power outage occurred in the Village on November 7<sup>th</sup>. He noted that a resident south of Joliet Road was having a tree removed and some of the limbs fell on main power lines and a transformer that created a domino effect which resulted in a power outage that lasted a few hours. Frank Alonzo asked Dave Vandervelde, the Village Engineer, to provide a report to the Board on the status of two engineering projects.

Dave Vandervelde reported that there were two capital improvement projects in the Village this year. He noted the municipal parking lot project included the removal and replacement of the asphalt pavement as well as some curb work and installation of Americans with Disabilities Act (ADA) sidewalk sections. The municipal parking lot project was funded by local funds and the scope of work was completed this month after some continuous weather delays with heavy rains that prevented the project from being completed sooner. Dave Vandervelde stated that Federal stimulus funds from President Obama's stimulus program were provided for the asphalt replacement and engineering for the entire length of Blackhawk Trail from Plainfield Road to Wolf Road. He noted the construction costs for the project will be paid entirely by Federal stimulus funds, the project will be completed during the month of November and the funds needed to be specifically used for Blackhawk Trail since the street is recorded as a designated route on the Federal Aid roadway mapping system. Dave Vandervelde stated that the engineering cost estimate was very close to the budgeted amount to complete the work based on the grant stimulus fund amount given to the Village for the project. He noted if there are any funds available remaining when the project is completed, possibly new stops signs or speed limit signage could be included along the new roadway and paid for with any remaining Federal stimulus funds, if the signage is approved by the Illinois Department of Transportation.

Dave Vandervelde stated about \$10,000 in design engineering costs were included in the project and the total construction cost of the Blackhawk Trail roadway project was about \$360,000. He noted that 100% funding in construction costs for the Blackhawk Trail Road project was provided by Federal stimulus funds.

## **★      CONSENT AGENDA**

***Approval of a Resolution to Determine the Estimated Amount of the Levy for the Village of Indian Head Park for 2009 (Resolution #R11-09-1)***

***Reappointment of Thomas Brescia as the Village's Prosecuting Attorney for the term ending November 13, 2010***

Trustee Schnauffer moved, seconded by Trustee Anselmo, to approve the consent agenda, as presented. Carried by unanimous roll call vote (5/0/1).

*Ayes: Trustees: Anselmo, Bailey, Bermier, Schnauffer, Walsh*

*Nays: None*

*Absent: Coleman*

★ **APPROVAL OF BOARD MEETING MINUTES**

*Minutes of the Regular Board Meeting - October 8, 2009*

After review of Board meeting minutes, Trustee Bermier moved, seconded by Trustee Bailey, to approve the October 8, 2009 regular Board meeting minutes, as amended. Carried by unanimous voice vote (5/0/1).

★ **FINANCIAL REPORTS - TREASURER STEVE BUSA**

*Approval of Financial Report for the month ending September 30, 2009*

*Approval of Financial Report for the month ending October 31, 2009*

Treasurer Busa presented the financial report for the month ending September 30, 2009. He noted: (1) total revenues were \$112,459.24; (2) expenditures were \$249,323.89 and; (3) total fund balances in all accounts at the end of September were \$330,978.17. For the month ending October 31, 2009 he noted; (1) total revenues were \$318,996.18 (2) expenditures were \$231,687.24 and; (3) total fund balances in all accounts at the end of October were \$292,442.37. Treasurer Busa mentioned that the second installment of real estate tax bills were recently sent out in the last week or two and the payments are due at the beginning of December. He noted that the Village's share of those revenues should be received and reflected on the November financial statement.

Trustee Schnauffer moved, seconded by Trustee Anselmo, to approve the financial report for the months ending September 30, 2009 and October 31, 2009 as presented by Treasurer Busa. Carried by unanimous roll call vote (5/0/1).

*Ayes: Trustees: Anselmo, Bailey, Bermier, Schnauffer, Walsh*

*Nays: None*

*Absent: Coleman*

★ **AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE REGARDING AGENDA ITEMS)**

**1. *Dead Tree Removal***

Mayor Andrews stated that due to the situation recently with a power outage that occurred as the result of a tree that fell on power lines, the subject of tree removal was placed on the agenda for discussion. He noted that the Village has an ordinance regarding the requirements for removal of dead trees on properties that pose a safety hazard. Mayor Andrews asked the Board's input to amend the current code regarding dead tree removal by adding a specified time period for removal of such trees.

Trustee Bailey stated that the only concern with a specific time period for a dead tree to be removed is if the tree needs to be removed in January and a tree company cannot take a tree down that time of the year. The consensus of the Board was in favor of amending the code to put a property owner on notice if there is a dead tree that becomes a hazard and to specify a date certain to be removed. Mayor Andrews asked Counsel Rich Ramello to review the sections of the Municipal Code that pertains to dead tree removal and to provide suggested changes to be incorporated in an amended ordinance.

## **2.     *2009 Fall Leaf Program***

Mayor Andrews stated that the leaf program topic was placed on the agenda for discussion to provide the Board with an opportunity to evaluate the leaf program for the current year and to adjust the program, if necessary, as well as to determine any future leaf program. Mayor Andrews stated that input from residents regarding the leaf program was received both by telephone and by e-mail messages. He further stated that in order to hold the line on spending, it was necessary to cut back on the leaf program this year.

Mayor Andrews stated that there was sentiment by the Board previously to possibly discontinue the leaf program due to a \$60,000 budget deficit last year and a \$50,000 budget deficit for the current fiscal year. He noted that a good part of the budget deficit was alleviated this year by refinancing the debt certificates to lower interest payments that would have been rapidly climbing in the later years of the debt certificate financing. Mayor Andrews pointed out that although the budget deficit was reduced by refinancing the debt certificates, it is still a slow economy with decreased revenues and the Village is not a home rule community that can just charge more for a variety of items.

Mayor Andrews stated that the City of Countryside has the luxury of big commercial development that brings in revenue as well as auto dealerships over the years. He noted Countryside can do things without a referendum to address immediate revenue shortfalls. Mayor Andrews stated that Indian Head Park would need to place a question on a ballot for a referendum in order for residents to vote whether to proceed with something or not to because the Village is not a home rule community. Mayor Andrews stated that it was determined by the Board to keep the leaf program to some extent and it was discussed at several meetings. He noted the extent of the leaf program for the current year was announced in the October Smoke Signals which provided one time through each area with the program to end before Thanksgiving. However, many of the leaves had not fallen from the trees in some areas and the leaf pick-up was completed in those areas.

Mayor Andrews pointed out that there are many expenses in providing a leaf program including labor costs, equipment maintenance and dumping fees. He noted that the annual leaf program is provided at a cost each year in excess of \$40,000. Mayor Andrews stated that the Village has grown in size with new development areas over the past several years (Ashbrook, two phases of Chestnut on the Green, single family home subdivision on Timber Ridge Court, Indian Woods Development) since the program was first implemented.

He noted that the new development areas now have mature trees that have grown over the last fifteen years as well as many new trees that have been planted throughout the Village that are now shedding their leaves. Mayor Andrews stated one thing that has not changed over the years is the size of the Public Works Department with a staff of three full-time employees and a superintendent utilizing one truck with one leaf vacuum.

Mayor Andrews stated although the leaf program was completed in certain areas according to the published schedule, landscapers and residents continued to place leaves at the street for pick-up after the program was completed in those areas. He noted that some of the problems with the leaf program are man made and that leaves were also being placed in the street along Blackhawk Trail during the reconstruction project which could cause project delays in the completion of the road project. Mayor Andrews summarized some of the comments that were received from residents regarding the leaf program which included: (have more precise scheduling, list pick-up dates for certain streets, pick-up leaves in the community based on types of trees or charge an additional fee for picking up leaves). Mayor Andrews stated that the Board will discuss again this coming budget year whether to continue or end the leaf pick-up program.

Mayor Andrews stated that last year the leaf program could not be completed according to the schedule due to a 6" snowfall just after Thanksgiving when the equipment on the trucks needed to be converted to plows and salt spreaders. Mayor Andrews stated that there is an equipment expense to change over the truck from leaf vacuum equipment to snow equipment because the Village has a limited number of vehicles that can be used for certain purposes. He noted that when the leaves last year could not be collected in December of 2008, residents were calling in the spring asking for their leaves to be collected and landscapers were even adding other spring clean-up landscape debris (grass clippings, plants, branches) to the piles of leaves for the Village to pick-up. Mayor Andrews stated there have been maintenance repairs of the leaf vacuum in excess of \$2,000 due to items that were deposited with the leaves that cause machine breakdowns that take days to fix and create delays in the leaf program.

Mayor Andrews stated that the Board is aware of the issues with the leaf program as well as a broader issue of Village finances that need to be tracked as well as costs to provide leaf removal. Mayor Andrews further stated that a resident last year observed a commercial landscape company dumping mounds of leaves that were picked up elsewhere and depositing them in the Village streets. He noted that it is becoming a financial and physical burden to the Village to collect leaves from areas where residents are paying landscape companies to remove them. Mayor Andrews stated that instead of discontinuing the leaf program this year entirely a scaled back program was provided to the entire community.

A resident of Thunderbird Drive stated that when the program ended on Thunderbird in October most of the leaves in that area had not even fallen from the trees and there are mountains of leaves along Thunderbird that have not been picked up.

She added that Indian Head Park is a Tree City U.S.A. and the Village encourages new trees to be planted. She asked if maybe there is a way to continue the leaf program even if a fee is charged to the residents.

Tim Harlow, of Indian Head Trail, stated that he rakes the leaves each year to get them to the street to be picked up according to the schedule, some people compounded the problem and added more leaves to the piles after the pick-up occurred but before the program ended for that area on October 30<sup>th</sup> and that created a problem with vehicles getting down the street due to mountains of leaves. Mr. Harlow stated that he agrees that some of the problems have been created by residents that have not followed the schedule but there are also liability issues with leaves that are blocking the streets and plugging storm drains that might cause flooding issues for individual homeowners. Counsel Rich Ramello stated that the Village is not the entity that placed the leaves on the Village Streets, the Village is not negligent and there is a State Tort Immunity Act which gives the Village a certain amount of immunity.

Mr. Harlow stated that possibly the leaf program could be revised based on weather conditions and when the majority of the leaves fall in the community. He added that the cost of \$40,000 for a leaf program that lasts about a month each year is a lot of money, perhaps some residents would be willing to help in some way to reduce the costs to keep the program and maybe landscapers that dump leaves in the street should be ticketed.

Mayor Andrews stated that some residents are already paying landscapers to remove the leaves from their property to place them at the street because there is a leaf program but those companies can also dispose of the leaves. Mr. Harlow suggested that possibly the leaf program could be a continuous pick-up for a certain period of time then end the program on a specified date.

Mike Eck, from Indian Head Trail, asked why the Village picks up leaves in the townhome sections of the Village when the owners of those townhomes pay a monthly maintenance fee that includes lawn services. Mr. Eck stated that the bulk of the leaves seem to come from the 45 Acres area of the Village which includes the single family home areas on the west side of Wolf Road between Joliet Road and Plainfield Road. He suggested the Village pick up the leaves in those areas in November. Mayor Andrews stated that people living in townhome and condominium areas with public streets also are taxpayers and receive the same services as single family homeowners.

Bill King, of Briarwood Court, stated that there are leaves all over town that may not be picked up according to the current schedule and he asked how the Board will address that issue. He added that there is a mountain of leaves on his street six-feet (6') high. Mayor Andrews stated that the Acacia area was included in the first part of the leaf program schedule that ended October 31<sup>st</sup> and there was no phone call from the Acacia Association asking the Village if the program was extended. He noted that Acacia grounds crews continued to gather the leaves throughout Acacia and dumped a huge mountain of leaves on the street in the Briarwood cul-de-sac.

Mayor Andrews stated that Chief Alonzo contacted the Acacia Association asking when Acacia would be removing the leaves from the street because the program ended in Acacia. He noted the response from Acacia was that the leaves are the Village's responsibility to pick them up.

Mayor Andrews pointed out that the mountain of leaves placed on the street by Acacia was so high that a fire hydrant was blocked from view and storm sewers were possibly covered.

Trustee Bermier stated that she visited the Acacia Clubhouse on November 11<sup>th</sup> to inform Acacia representatives that according to the leaf program information in Smoke Signals, the program ended in October. However, Acacia grounds crews continued to pile leaves on Briarwood. Al Krisciunas, of Briarwood Square and also a member of the Acacia Board, stated that it was not an Acacia Board decision to place the leaves on Briarwood. He added that perhaps the Acacia grounds crews put the leaves in that location at the direction of the supervisor anticipating that the leaves could be picked up in one area instead of going around all of Acacia. Al Krisciunas stated the Acacia Board had a meeting and there were concerns that Acacia was stuck with the publication in Smoke Signals that the leaf program ended for Acacia in October but the trees did not lose the leaves until November. He further stated that an Acacia Board member in charge of general landscaping was out due to a family illness. Al Krisciunas stated that Indian Head Park has grown in size over the years and there are many trees in the community.

Mary Mynaugh, of Tanglewood Court, stated that she is the Acacia Grounds Director, and the initial idea was to place the leaves on Briarwood temporarily before they were to be removed but the volume of leaves kept mounting. She stated there was no disregard to the Village by placing the leaves in that location. Mayor Andrews asked simply that a telephone call be placed to the Village from Acacia should a situation come up again before a decision is made.

Trustee Bermier stated that possibly a committee be formed of Board members and residents to discuss whether the leaf program will be continued next year. Trustee Bailey stated that he utilizes the leaf program each year. He further stated that when the Board discussed that possibly the program could not be continued due to a \$40,000 budget deficit he was not in favor of discontinuing the leaf program. Trustee Bailey stated that after reviewing the budget, he realized the Village runs a very tight budget.

Trustee Anselmo inquired if landscape companies are being ticketed by the police for dumping and if these landscape companies are aware of the Village ordinances. Chief Alonzo stated that many landscapers are informed that a contractor's business license is required to work in town and officers do check for contractor licenses.

Mayor Andrews stated that in light of the situation this year with the leaf program and an effort to help residents, the Board discussed a continuation of the leaf program as follows:



(1) the second half of the leaf program according to the published schedule is continuing through November 25<sup>th</sup> and those areas will be completed according to the schedule; (2) over time during the weekdays and on Saturdays will be authorized for Public Works crews to continue the leaf pick-up through December 4<sup>th</sup> only in the areas published in the Smoke Signals from the first pick-up areas; (3) once another pick-up has occurred after Thanksgiving on those selected streets, that area is done; (4) the program can only be continued weather permitting and if there is a snowfall event during the leaf program, the leaf program will end; (5) after the leaf program ends it is the responsibility of homeowners to remove leaves from their properties and leaves should not be placed at the street after the program ends. Mayor Andrews stated that the leaves in the Acacia area on Briarwood will be picked up on Friday, November 20<sup>th</sup> and that will be the last pick-up for Acacia. Al Krisciunas stated that he does not speak for the Acacia Board but possibly the Acacia Board would be willing to compensate the Village for the overtime incurred to remove the leaves on Briarwood. Mayor Andrews stated that the Public Works staff will revisit the 45 Acres area before December 4<sup>th</sup>. He noted that a modified leaf program flier will be included in the November Smoke Signals that will be out to the residents before Thanksgiving and an announcement will be placed on the cable bulletin board and the Village's Website.

**3. *Presentation by Village Counsel Regarding Recent Amendments to the Freedom of Information Act and Open Meetings Act***

Counsel Richard Ramello introduced Kate Reifsnyder and Peter Pacione from the firm of Storino, Ramello and Durkin who made a presentation to the Board and summarized the proposed amendments to the Freedom of Information Act and Open Meetings Act.

**QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE BY INDIAN HEAD PARK RESIDENTS ONLY**

None

**ADJOURNMENT**

There being no further business to discuss, Trustee Bailey moved, seconded by Trustee Anselmo, to adjourn the regular Board meeting at 10:30 p.m. Carried by unanimous voice vote (5/0/1).

Respectfully Submitted,  
Kathy Leach, Deputy Clerk/Recording Secretary